

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STEVEN A. SWAN

v.

RI CA No. 05-491-T
NH CA No. 05-401-JD

PAUL J. BARBADORO, et al.

**ORDER REFERRING MATTER TO MAGISTRATE JUDGE
AND APPLYING LOCAL RULES OF DISTRICT OF RHODE ISLAND**

On January 17, 2006, this Court issued an order directing the plaintiff to show cause why the case should not be dismissed for failure to serve the defendants. The plaintiff responded by pointing out that unless otherwise ordered by the judge presiding by designation, the Local Rules of the District of New Hampshire apply and those rules do not permit the Clerk to issue summonses in cases brought by incarcerated individuals unless authorized by a magistrate judge.

Accordingly, it is hereby ORDERED that:

1. The matter is referred to a magistrate judge for review and appropriate action in accordance with Local Civil Rule 77.5 of the District of New Hampshire.
2. Henceforth, this case shall be governed by the Local Rules of the District of Rhode Island.

By Order


Deputy Clerk

ENTER:


Ernest C. Torres
Chief Judge

Date: 4/5/06 , 2006